

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE:	:	Chapter 13
Chris Cinkaj,	:	
	:	
Debtor	:	
	:	NO. 25-10591-amc

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**MOTION FOR CONTINUATION OF AUTOMATIC STAY**  
**Pursuant to 11 U.S.C. §362(c)(3)**

COME NOW Debtor, Chris Cinkaj, through his undersigned counsel, pursuant to 11 U.S.C. §362(c)(3)(B), requesting an order continuing the automatic stay provided under 11 U.S.C. §362(a) as to all creditors. In support of this motion, Debtor states as follows:

1. This Court has jurisdiction over this matter pursuant to 11 U.S.C. §105(a), 28 U.S.C. §157(b)(1), and 28 U.S.C. §1334. This matter constitutes a core proceeding as defined by 28 U.S.C. §157(b)(2).
2. Debtor filed the current petition for relief under Chapter 13 on February 14, 2025.
3. Within the twelve months prior to said filing date Debtor was in an active Chapter 13 case, number 24-11601-amc. Said case was voluntarily dismissed by debtor on October 2, 2024 due to ongoing health related issues.
4. Debtor has no other cases pending within the twelve month period prior to 2/14/25.
5. Debtor filed the pending case in good faith. A substantial change in the financial and personal affairs of the Debtor has occurred since the dismissal of the previous

case that will assure successful completion of a Chapter 13 reorganization.

6. Debtor recently experience significant health issues that impacted his ability to function and perform daily activities of life. The impairments affected his ability to communicate and provide assistance to his counsel and perform certain court mandated obligations in his most recent dismissed bankruptcy case.
7. Debtor has attached an Declaration of his medical history in support of this application to extend the automatic stay relief. See DECLARATION.
8. Debtor will fully perform the terms of a confirmed plan in the pending case.
9. This motion is not made for the purposes of delay.

**WHEREFORE**, Chris Cinkaj, through his undersigned counsel, respectfully requests the Court to continue the stay under 11 U.S.C. §362(a) as to all creditors for the duration of this Chapter 13 proceeding, or until such time as the stay is terminated under §362(c)(1) or (c)(2), or a motion for relief from stay is granted under §362(d).

Respectfully submitted,

Date: 2/21/2025

/s/ Paul A. R. Stewart  
Legal Helm, LLC  
PAUL A. R. STEWART  
Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Bankruptcy No. 25-10591-amc
CHRIS CINKAJ,	:	
DEBTOR	:	Chapter 13
	:	
	:	MOTION TO CONTINUE
	:	AUTOMATIC STAY

**ORDER**

AND NOW, this \_\_\_\_\_ day of March 2025, upon consideration of Debtor's

Motion to Continue Automatic Stay, AND following a notice and a hearing, the motion is GRANTED.

The Automatic Stay provisions of 11 U.S.C. §362(a) are extended as to all creditors through the duration of this case unless terminated by court order following notice and a hearing.

BY THE COURT

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Chris Cinkaj,	:	
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**DECLARATION OF CHRIS CINKAJ IN SUPPORT OF  
MOTION TO CONTINUE AUTOMATIC STAY**

I, Chris Cinkaj, an adult over 18 years of age, am a debtor in this bankruptcy case, and I make this declaration under penalty of perjury subject to 28 U.S.C. 1746 as aver as follows:

Major health issues including partial paralysis and long-term rehab:

I experienced a series of medical complications beginning with a total knee replacement in March 2018. During rehabilitation, I developed severe sciatic pain and upper extremity numbness, leading to a cervical fusion surgery in March 2019. The initial improvement was temporary, and my condition deteriorated significantly by January 2020, resulting in paralysis from the neck down by April 2020.

In May 2020, I underwent emergency cervical fusion surgery at Jefferson Hospital, followed by extensive rehabilitation at Magee Rehabilitation Center in Philadelphia. The medical prognosis at the time indicated permanent paralysis, and I was admitted to learn coping strategies for this condition.

Contrary to the initial prognosis, I have made significant improvements through continuous rehabilitation. As of February 2025, I can walk independently, though with limitations. I cannot lift any weight, and I experience severe back spasms that limit my ability to sit or stand for more than thirty minutes at a time. These spasms significantly impact my ability to perform various tasks, including paperwork and errands.

Despite these ongoing challenges, I continue to make steady progress in my recovery. My mobility and gait have improved permitting me to be more active. This represents a substantial improvement from my previous condition of complete paralysis.

I have consistent long term rental income from properties my business owns and manages. I have the ability to meet the financial obligations of a Chapter 13 Plan of Reorganization or a loan modification with my home lender.

Signed: \_\_\_\_\_



February 21, 2025

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**CERTIFICATE OF SERVICE**

I, Paul A. R. Stewart, Esquire, hereby certify that February 21, 2025, I served via first class regular mail and/or electronic filing, with a true and correct copy of the Debtor's Motion for Continuation of Automatic Stay upon:

**Counsel for Bank**

Denise Carlon  
KML Law Group, P.C.  
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Philadelphia, PA 19106-1532  
215-627-1322

**United States Trustee**

Office of United States Trustee  
Robert N.C. Nix Federal Building  
900 Market Street, Suite 320  
Philadelphia, PA 19107  
215-597-4411

**Kenneth E. West, Trustee**

United States Trustee  
Office of the Chapter 13 Standing Trustee  
190 N. Independence Mall West, Suite 701  
Philadelphia, PA 19106  
215-597-4411

/s/ Paul A.R. Stewart

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